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September 9, 2012

Mr. Anthony J. Hood, Chairman  
DC Zoning Commission  
One Judiciary Square  
441 4<sup>th</sup> Street NW  
Second Floor  
Washington, DC 20001

RE: Letter of Support for Big Bear Café – Case #10-14, 1700 First Street Map Amendment at Square 3103

Dear Chairman Hood,

I am writing this statement in support of Big Bear Café's application to the Commission. I apologize that I cannot be at the hearing in person to share the following sentiments; however, I hope this letter fully encompasses my opinion on the issue.

For the past five years I have lived at 1718 First Street NW – less than one block from Big Bear Café. During my time at this address, I have watched Big Bear Café grow from a small coffee shop to a community fixture. I was in this neighborhood during each transition of the café, from the expansion to dinner service to the alcohol license. With each change, the owner – Mr. Stuart Davenport – spoke to the community to ensure that the neighborhood would not be negatively impacted.

I am very pleased to say that Mr. Davenport was correct. Although Big Bear Café has become more popular and expanded its service, I have seen no negative impact on the community. However, I understand some of my neighbors expressed concern about the rezoning issue. They are concerned about precedent, parking, and noise. I would like to express my view of each issue individually.

**Precedent**

According to my neighbors' (in an opinion I disagree with) rezoning Big Bear Café would set a precedent for business to get special zoning in neighborhoods that they would otherwise not be able to establish themselves. My argument against this opinion is twofold:

**ZONING COMMISSION  
District of Columbia**

CASE NO. 10-14  
EXHIBIT NO. 38

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1. I understand the DC Zoning Commission is a specialized entity that diligently examines each case as it is brought to their attention. According to the DC government website:

All applications for building permits are reviewed by the Zoning Administrator (ZA) in the Department of Consumer and Regulatory Affairs (DCRA) for compliance with relevant zoning regulations. Upon such review, the ZA may determine that a project conflicts with existing regulations (i.e. land use(s), height, density, bulk, etc.) permitted by the zone district covering the site. In such cases, the affected property owner may seek permission from the ZC to develop the proposed project by filing a map amendment application. Map amendments may also be initiated by petition from the public, including public agencies such as the Office of Planning.

Based on this statement, precedent would not be an issue since the Commission reviews each case *on its own merits*. There is no statement regarding precedent in determining the case. Therefore approving Big Bear Café's application would not impact future business' applications.

2. If precedent is truly an issue, I urge the Commission to think about the effect of denying the amendment. Washington DC is quickly becoming a hub for small businesses. These entrepreneurs are taking great risks to invest in communities, assisting revitalization of the city and working to counter the effects of the current economic recession. Mr. Davenport's continued investment into the Bloomingdale neighborhood has assisted in making it the community more active, friendly, and safe.

I sincerely fear what would happen if businesses like his were shunned for assisting in the development of neighborhoods. Small businesses provide unique outlets and opportunities for neighborhoods that would otherwise have no restaurants, cafes, grocery stores, etc. Washington is a growing city, and places like Big Bear Café provide opportunities the type of socializing that promotes community involvement and safe neighborhoods. Further, many of these small business owners – including Mr. Davenport – live in the communities they wish to establish their business.

When I moved to Bloomingdale, neighbors barely spoke to each other. Today I get a nod or a "hello" from neighbors sipping Big Bear coffee or walking through the Sunday Farmers Market. These one-time strangers have become friends – drawn together by a local café. *We need businesses like Big Bear Café. Denying their application would tell entrepreneurs that Bloomingdale – and neighborhoods like it – are not open to development by small, local businesses.*

## **Parking**

When I moved to Bloomingdale in 2007, parking was very easy. I could always find a spot for my car. As the neighborhood has grown, there are fewer spaces available. But I am confident that the decrease in parking is not a result of Big Bear Café.

During the day, while Big Bear Café is open, I have **never** had difficulty parking directly in front of my home. My only difficulty parking is at night, after the café is closed and no patrons

remain. *Based on this evidence, Big Bear Café has no negative impact on parking in Bloomingdale.*

### **Noise**

As I previously stated, I live less than 200 feet from Big Bear Café. Yet over the past five years I have never witnessed an issue with excessive noise. Even as the café expanded its hours into the evening and held small concerts and events, there has not been a single issue with excessive noise. Patrons are kind and respectful of the community – primarily due to the fact that many of them live nearby.

When Mr. Davenport began serving alcohol, there was concern about the potential of his business to become a bar, serving late into the evening. Yet he assured me that was not his vision. He explained that he wanted to transform his establishment into a place where people can have wine with their dinner. Mr. Davenport has kept his word. He has not turned into a rowdy sports bar or concert hall, rather he has made his café into a gathering place for a quiet dinner and occasional beer.

*Based on my five years of experience living less than 200 feet from Big Bear Café, excessive noise is not an issue.*

I hope my statement in support of Big Bear Café illustrates how Mr. Davenport's café is a vital part of the community and had no negative effect on precedent, parking, or noise. Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'JRivkin', with a stylized flourish at the end.

Jason Rivkin  
202.297.0100